

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re VEECO INSTRUMENTS, INC. : Case No.: 7:05-md-01695 (CM)(GAY)  
SECURITIES LITIGATION :  
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----- X  
THIS DOCUMENT RELATES TO :  
ALL ACTIONS :  
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**NOTICE OF MOTION AND MOTION FOR AN ORDER  
GRANTING LEAD PLAINTIFF'S FIRST MOTION IN LIMINE**

PLEASE TAKE NOTICE that, upon the papers to be filed with this Court, and all prior papers and proceedings herein, Lead Plaintiff, by their counsel Berger & Montague, P.C., shall respectfully move this Court, before the Honorable Colleen McMahon, United States District Judge, at a date and time to be determined by the Court, for an Order, granting Lead Plaintiff's First Motion in *Limine*.

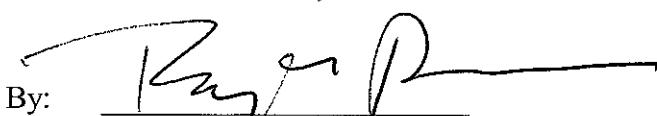
PLEASE TAKE FURTHER NOTICE that Lead Plaintiff will rely on the supporting Memorandum of Law and Declaration of Phyllis M. Parker, filed herewith.

PLEASE TAKE FURTHER NOTICE that Lead Plaintiff has attached a Proposed Form of Order hereto.

Dated: June 6, 2007

**BERGER & MONTAGUE, P.C.**

By:



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